

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		ATTORNEYS DOCKET NO. 2472-90-PUS U.S. APPLICATION NO. (If known, see 35 CFR 1.5) not yet assigned
INTERNATIONAL APPLICATION NO. PCT/US2005/004639	INTERNATIONAL FILING DATE 10 February 2005	PRIORITY DATE CLAIMED 10 February 2004
TITLE OF INVENTION METHODS OF CONTROLLING MICROORGANISMS IN PACKAGED FOODS		
APPLICANT(S) FOR DO/EO/US Warren MIRTSCHING, R. Todd BACON, and John HULSE		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (20) indicated below. <input type="checkbox"/> The US has been elected (Article 31). <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)). <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). <input type="checkbox"/> A English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 		
Items 11 to 20 below concern document(s) or information included:		
<ol style="list-style-type: none"> <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. <input checked="" type="checkbox"/> A preliminary amendment. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. <input type="checkbox"/> A substitute specification. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 1.54(d)(4). <input type="checkbox"/> Other items or information: 		

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not yet assigned		PCT/US2005/004639		2472-90-PUS																			
20. The following fees are submitted:																							
<table border="1"> <tr> <td><input checked="" type="checkbox"/> a) Basic national fee</td> <td>\$300.00</td> <td>Applicant use</td> <td>Office use only</td> </tr> <tr> <td><input checked="" type="checkbox"/> b) Examination fee</td> <td>\$200.00</td> <td></td> <td></td> </tr> <tr> <td><input checked="" type="checkbox"/> c) Search fee</td> <td>\$100.00</td> <td></td> <td></td> </tr> <tr> <td colspan="2">TOTAL OF ABOVE CALCULATIONS = \$600.00</td> <td colspan="2"></td> <td colspan="2"></td> </tr> </table>						<input checked="" type="checkbox"/> a) Basic national fee	\$300.00	Applicant use	Office use only	<input checked="" type="checkbox"/> b) Examination fee	\$200.00			<input checked="" type="checkbox"/> c) Search fee	\$100.00			TOTAL OF ABOVE CALCULATIONS = \$600.00					
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<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.																							
Total Sheets		Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE																			
8	-100 =	-92 /50 =	0	x \$250.00	\$ 0																		
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e))																							
CLAIMS		NUMBER FILED	NUMBER EXTRA	RATE																			
Total claims		15 - 20 =	0	x \$50.00	\$ 0.00																		
Independent claims		3 - 3 =	0	x \$200.00	\$ 0.00																		
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$360.00	\$																		
				TOTAL OF ABOVE CALCULATIONS =	\$ 600.00																		
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.																							
SUBTOTAL = \$																							
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). + \$																							
TOTAL NATIONAL FEE = \$																							
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) \$40.00 per property + \$																							
TOTAL FEES ENCLOSED = \$ 600.00																							
<table border="1"> <tr> <td>Amount to be refunded:</td> <td rowspan="2">\$</td> </tr> <tr> <td>Amount to be charged:</td> </tr> </table>						Amount to be refunded:	\$	Amount to be charged:															
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<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>191970</u> in the amount of \$ <u>600.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-1970. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>																							
<p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p>																							
SEND ALL CORRESPONDENCE TO:																							
<p>SHERIDAN ROSS P.C. 1560 Broadway, Suite 1200 Denver, Colorado 80202-5141 Telephone: (303) 863-9700 Facsimile: (303) 863-0223</p> <p style="text-align: center;">SIGNATURE</p> <p>Joseph E. Kovarik Registration No. 33,005</p>																							
CUSTOMER NO. 22442																							